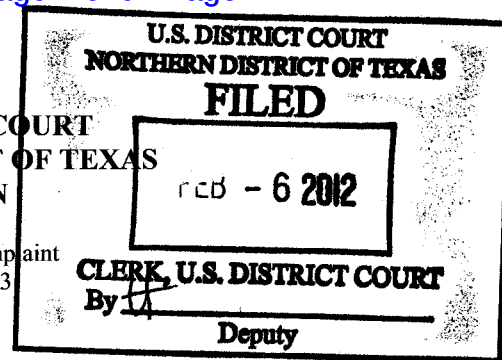


IN THE UNITED STATES DISTRICT COURT
FOR THE _____ DISTRICT OF TEXAS

DIVISION

Form To Be Used By A Prisoner in Filing a Complaint
Under the Civil Rights Act, 42 U.S.C. § 1983



Dominique S. DeBase #1531401

Plaintiff's name and ID Number

James V. Alired unit

Place of Confinement

CASE NO: 7-12-CV-021-0
(Clerk will assign the number)

v.

Sgt. J. CASTRO - 2101 FM 369N. IOWA PARK, TX 76367

Defendant's name and address

Sgt. B. BRASIER - 2101 FM 369N. IOWA PARK, TX 76367

Defendant's name and address

C.O. T. LIPE - 2101 FM 369N. IOWA PARK, TX 76367

Defendant's name and address

(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the Clerk of the United States Court for the appropriate District of Texas in the Division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. The list labeled as "VENUE LIST" is posted in your unit law library. It is a list of Texas prison units indicating the appropriate District Court, the Division and an address of the Divisional Clerks.

FILING FEE AND IN FORMA PAUPERIS

1. In order for your complaint to be filed, it must be accompanied by the filing fee of **\$350.00**.
2. If you do not have the necessary funds to pay the filing fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis* (IFP), setting forth the information to establish your inability to prepay the fees and costs or give security therefore. You must also include a six (6) month history of your Inmate Trust Account. You can acquire the application to proceed IFP and appropriate Inmate Account Certificate from the law library at your prison unit.
3. 28 U.S.C. 1915, as amended by the Prison Litigation Reform Act of 1995 (PLRA), provides, "...if a prisoner brings a civil action or files and appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." Thus, the Court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the Court will apply 28 U.S.C. 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your Inmate Account, until the entire **\$350** filing fee has been paid.
4. If you intend to seek *in forma pauperis* status, then do not send your complaint without an Application to Proceed IFP, and the Certificate of Inmate Trust Account. Complete all the essential paperwork before submitting it to the Court.

CHANGE OF ADDRESS

It is your responsibility to inform the Court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motions(s) for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedures.

I. PREVIOUS LAWSUITS:

- A. Have you filed any other lawsuits in the state or federal court relating to imprisonment? _____ YES ☒ NO
- B. If your answer to "A" is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: _____
 2. Parties to previous lawsuit:
Plaintiff(s): _____
Defendant(s): _____
 3. Court (If federal, name the district; if state, name the county) _____
 4. Docket Number: _____
 5. Name of judge to whom case was assigned: _____
 6. Disposition: (Was the case dismissed, appealed, still pending?)

 7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT: James V. GiiRed unit

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted both steps of the grievance procedure in this institution? ☒ YES ☐ NO

Attach a copy of the Step 2 grievance with the response supplied by the prison system.

IV. PARTIES TO THE SUIT:

A. Name of address of plaintiff: Domini Que Stephen DeBase #1531401
James V. GiiRed - 2101 FM 369N. IOWA PARK, TX 76367

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: JOSE CASTRO, SERGEANT, T.D.C.J., James V. GiiRed
2101 FM 369N. IOWA PARK, TX 76367

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

initiated an use of force (unprovoked), maliciously and sadistically assaulted me.

Defendant #2: Brandon Brasier, SERGEANT, T.D.C.J., James V. GiiRed
2101 FM 369N. IOWA PARK, TX 76367

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

participated in malicious and sadistic acts. (unprovoked). assaulting me.

Defendant #3: TREY LIPE, CORRECTIONAL OFFICER, T.D.C.J., James V. GiiRed
2101 FM 369N. IOWA PARK, TX 76367

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

participated in malicious and sadistic acts. (unprovoked). assaulting me.

Defendant #4: _____

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Defendant #5: _____

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal argument or cite any cases of statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember that the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

ON MARCH 22, 2010, I WAS ASSAULTED WITH HANDRESTRAINTS ON (UNPROVOKED) ON (ECB) HIGH SECURITY BY SERGEANT J. CASTRO, SERGEANT B. BRASIER, AND OFFICER T. LIPE. ON HIGH SECURITY MARCH 22, 2010 SERGEANT J. CASTRO MALICIOUSLY AND SADISTICALLY, RAMMED ME INTO THE WALL WHILE I WAS IN THE HANDRESTRAINTS WHILE IN THE CUSTODY (CORRECTIONAL) OFFICER J. CRUMLEY, WHO WAS ESCORTING ME BACK TO MY POD AND CELL. SERGEANT J. CASTRO REPEATEDLY STRIKED (CLOSED FIST) PUSHED ME UNTIL I WAS IN THE CORNER OF THE HALLWAY AND SHOVED OVER AN FIREHOSE WHEEL THEN HE CONTINUED TO STRIKE ME IN THE BACK OF MY HEAD. SGT. J. CASTRO YELLED STOP RESISTING IN WHICH I NEVER PROVOKED HIM IN ANYWAY. THEN OFFICER T. LIPE RAN TO THE SCENE AND SHOVED HIS INDEX FINGER INTO MY ESOPHOGUS AND CAUSED ME TO GAG AND CHOKE, ME BEING UNABLE TO BREATHE. SERGEANT B. (continue next page)

VI. RELIEF: State briefly exactly what you want the court to do for you. Make no legal arguments. Cite not cases or statutes.

ORDER TDCJ AND THE DEFENDANTS TO PAY COMPENSATORY DAMAGES OF \$ 9,000; ORDER TDCJ AND DEFENDANTS TO PAY PUNITIVE DAMAGES OF \$ 9,000; AND BE DEMOTED OF THEIR RANK/CLASS.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases:

"DEEDEE", MY INITIALS

B. List all TDCJ-ID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you, if know to you.

JUST CURRENT TDCJ - ID # 1531401

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? ____ YES ☒ NO

B. If your answer is "yes", give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (If federal, give district and division): _____

2. Case Number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? ____ YES ____ NO

SERGEANT BRANDON BRASIER RAN UP, SQUEEZED AND TIGHTEN
(NON-
THE DOUBLE LOCKED) RESTRAINTS AROUND MY WRIST AND CAUSE THE HAND-CUFF
TO CUT INTO MY SKIN. THEN CAPTAIN HARRIS, WALKED UP AND YELLED
TO ME "SHUT YOUR FAGGOT ASS UP"! THEN SGT. J. CASTRO AND SGT. B. BRASIER,
FORCEFULLY JACKED UP MY ARMS & SQUEEZE THEM TIGHT, AND SPEED WALKED
ME TO THE CELL & THEY RAMMED ME INTO THE WALL. ONCE THE CELL DOOR
WAS OPEN, OFFICER T. LIPE STICKS HIS FOOT OUT AND TRIP ME AND I FELL
FACE DOWN. T. LIPE, STOMPED AND STEPPED ON THE BACK OF MY LEGS, AND
SGT. J. CASTRO & SGT. B. BRASIER BOTH KICKED ME IN THE BACK OF MY HEAD.

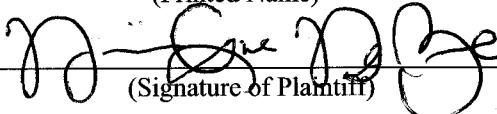
ONCE IN CELL I SQUAT TO LET THEM REMOVE THE CUFFS, SGT. CASTRO
OFFICER T. LIPE BOTH GRAB AN ARM AND YANKED THEM AND TWISTED
THEM CAUSING MY WOUNDS ON MY WRIST FROM THE HANDCUFFS TO BLEED
MORE. SGT. J. CASTRO "DENIED ME MEDICAL TREATMENT, & NO VIDEO CAMERA
RECORDER WAS PRESENT THROUGH OUT THE WHOLE UNNECESSARY MAJOR USE
OF FORCE, WHICH VIOLATE USE OF FORCE PROCEDURE. PLUS POD SECURITY
CAMERA CAPTURED THE WHOLE INCIDENT & THE HALLWAY. SECURITY CAMERA.
AND OFFICER J. CRUMLEY GAVE A ACCURATE STATEMENT OF WHAT HAPPEN
TOWARDS ME.

C. Has any court ever warned or notified you that sanctions could be imposed? ____ YES ☒ NO

D. If your answer is "yes", give the following information for every lawsuit in which warning was imposed.
(If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed warning (if federal, give the district and division): _____
2. Case number: _____
3. Approximate date warning were imposed: _____


Executed on: 2-1-12
(Date)

Dominique S. DeBose
(Printed Name)

(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachment thereto are true and correct.
2. I understand if I am released or transferred, it is my responsibility to keep the Court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand that I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions in a Court of the United States while incarcerated or detained in any facility, which lawsuits are dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger or serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire **\$350** filing fee and costs assessed by the Court, which shall be deducted in accordance with the law from the inmate account by my custodian until the filing fee is paid.

Signed this 1st day of February, 20 12.
(Day) (Month) (Year)

Dominique S. DeBose
(Printed Name)

(Signature of Plaintiff)

WARNING: The Plaintiff is hereby advised any false or deliberately misleading information provided in response to the following questions will result in the imposition of sanctions. The sanctions the Court may impose include, but are not limbed to monetary sanctions and/or the dismissal of this action with prejudice.



HSD-2317

OFFICE USE ONLY

Grievance #: 2010124338
UGI Recd Date: MAY 14 2010
HQ Recd Date: MAY 24 2010
Date Due: 06-18
Grievance Code: 800.002.001
Investigator ID #: E0317
Extension Date:

Texas Department of Criminal Justice
STEP 2 **OFFENDER**
GRIEVANCE FORM

Offender Name: Dominique DeBose TDCJ # 1531401
Unit: Alfred Housing Assignment: ~~1130-2347~~
Unit where incident occurred: James V. Alfred

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be specific). I am dissatisfied with the response at Step 1 because...

I'm appealing grievance (# 2010124338), because I asked for specific requests that would have been an resolution to my complaint, which was the cameras to be reviewed to support my complaint and claim, and have an use of force physical done before my injuries healed. and also so the unnecessary major excessive use of force was documented, because nothing was ever documented by the higher authority or unit staff, cause there wasn't an camera correctional officer present with the camera. and also the grievance (2010124338) response isn't relating to the grievance complaint, I written about I spoke with the (DIO) one time, when he informed me about he was taking over the said investigation and I haven't heard anymore about his investigation, I've many DIO's to find out what's going to take place, but it seems that the response to this step 1 grievance, should have been by the unit office of inspector general, cause the response for the grievance, were all around, what I was asking for to relieve me and resolve my problem, but nothing I requested never happened. - so I deserve an explanation or deserve to know what's going on with the said

investigation, b/c it was received in response from the unit inspector general.

MAY 27 2010

MAY 27 2010

Offender Signature: 

Date: 5-14-10

Grievance Response:

Your grievance has been reviewed and noted. An appropriate investigation was conducted and addressed at the Unit level. You should contact the Office of Inspector General on your unit for any information regarding the case that was opened. There has been no evidence found to support your allegations that your life is in danger at the Allred Unit. Review of your Step II grievance indicates no new evidence or information that would warrant further investigation into your allegations. No further action is warranted.

Signature Authority: 

Date: JUN 07 2010

Returned because: *Resubmit this form when corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language.
- ☐ 6. Inappropriate. *

CGO Staff Signature: _____

OFFICE USE ONLY**Initial Submission**

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

2nd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

3rd Submission

CGO Initials: _____

Date UGI Recd: _____

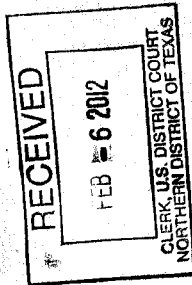
Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

Dominique DeBose
James V. Alired
2101 FM 369N.
IOWA PARK, TX 76367
#1531401



S

TO THE CLERK
OF THE UNITED STATES
DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
1000 Lamar St. Room 203
Wichita Falls, TX 76301



(legal mail)